AUG 0 1 2008

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue New York, New York 10151 Telephone: (212) 588-0800 Facsimile: (212) 588-0500

E-mail: Firm@flhlaw.com

FACSIMILE COVER LETTER

To:

Examiner Jean M. Corrielus

Firm:

Art Unit 2162

Facsimile:

(571) 273-8300

From:

Frank J. DeRosa, Esq.

Date:

August 1, 2008

Re:

U.S. Application Serial No.: 10/045,586

Number of Pages: (including cover page)

3

PLEASE DELIVER TO EXAMINER CORRIELUS

If you do not receive all pages or are unable to read the transmission, please call and ask for Suzanne Graziano (Ext. 2664).

Dear Examiner Correlius:

Enclosed is a summary of our teleconferences regarding entry of the Rule 312 Amendment. I would like to file it. May I have your comments?

Again, sorry that this is causing you inconvenience.

Respectfully.

Frank J.DeRosa

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☑ 002/003

336001-2021

AUG 0 1 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Fred C. MITCHELL et al.

Confirmation No.:

8535

Application No.:

10/045,586

Examiner:

Jean M. Corrielus

Filed:

01/11/2002

Group Art Unit:

2162

Title:

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUMMARY PURSUANT TO 37 C.F.R. § 1.333 OF TELEPHONE INTERVIEWS WITH EXAMINER REGARDING RULE 312 AMENDMENT

Pursuant to 37 C.F.R. § 1.333, the following summary is provided of telephone discussions between Examiner Corrielus and Applicants' undersigned Representative.

On or about June 13, 2008 Applicant's Representative requested reconsideration of the Examiner's denial of Applicant's Amendment under 37 C.F.R. § 1.312 ("Rule 312 Amendment"). The reasons given were: (a) the requested amendments were all minor in nature, including several amendments to correct grammatical errors; (b) none of the changes would require further searching or reconsideration of patentability; (c) there was little or no burden on the Examiner to review the amendments given they were minor and straight forward and involved a small number of the total claims; and (d) there would have been a heavy burden on the Applicant to make these changes after issue of the patent.

On or about June 16, 2008, the Examiner agreed to enter the Rule 312 Amendment.

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Between about June 23, 2008 and July 24, 2008, Applicants' Representative followed up with the Examiner a number of times because PAIR did not show that the Rule 312 Amendment had been entered.

On July 24, 2008 the Examiner left a voice message confirming that the Rule 312 Amendment had been approved and would be entered into PAIR.

During a telephone conference on July 31, 2008, the Examiner checked USPTO records and said the paper entering the Rule 312 Amendment was in the queue for PAIR, and that he did not know why it had not been entered, and would discuss it with his supervisor.

Date: August 1, 2008

By:

Frank J. DeRosa Reg. No. 26,543

Attorney for Applicants

Respectfully submitted.

FROMMER LAWRENCE & HAUG LLP

Customer No.: 20999 (212) 588-0800